

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MARANDA LYNN O'DONNELL,	§	
et al.	§	
Plaintiffs,	§	
v.	§	Case No: 16-cv-01414
	§	(Consolidated Class Action)
HARRIS COUNTY, TEXAS, et	§	The Honorable Lee H. Rosenthal
al.	§	U.S. District Judge
Defendants.	§	

**DEFENDANT, HARRIS COUNTY SHERIFF ED GONZALEZ'
RESPONSE AND OBJECTION TO
HARRIS COUNTY DEFENDANTS' EMERGENCY MOTION TO STAY
PENDING APPEAL**

Defendant, Harris County Sheriff Ed Gonzalez, in his official capacity ("The Sheriff"), now files his Response and Objection to the Harris County Defendants¹' Emergency Motion to Stay Pending Appeal [Dkt. No. 311] and would respectfully show this Court as follows:

1. On April 28, 2017, the Court entered an Order denying the Harris County Defendants' contingent motion to stay pending appeal. [Dkt. No. 305]. This Order provided that defendants may refile their motion to stay following entry of a preliminary injunction. *Id.* This Order further requested a statement of position for any nonmoving party to the motion to stay. *Id.*

¹ The "Harris County Defendants" include Harris County, the Hearing Officers and Harris County Criminal Court at Law Judges 1-15.

2. On April 28, 2017, the Court issued its Memorandum and Opinion Setting Out Finding of Facts and Conclusions of Law [Dkt. No. 302] and her Order of Preliminary Injunction [Dkt. No. 304].
3. On May 9, 2017, the Harris County Defendants filed the subject Motion to Stay. The Court subsequently entered an Order requiring all nonmoving parties to file their response with the Court by 5:00 p.m. on May 10, 2017. [Doc. No. 312].
4. On May 10, 2017, the Sheriff filed a Motion to Clarify and Partial Modification of the Order of Preliminary Injunction [Dkt. No. 316] stating his intent to accept the Court's Order and implement release procedures by May 15, 2017.
5. The Sheriff will not seek a Stay and will not appeal the Order.

Respectfully submitted,

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ATTORNEY FOR DEFENDANT, HARRIS
COUNTY SHERIFF ED GONZALEZ

CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2017 a true and correct copy of the foregoing document was served electronically and by certified mail to all parties of record.

/s/ Victoria Jimenez

VICTORIA JIMENEZ